



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/489,596	01/20/2000	Todd R. Collart	IACTP018	6028
22242	7590	08/02/2004	EXAMINER	
FITCH EVEN TABIN AND FLANNERY 120 SOUTH LA SALLE STREET SUITE 1600 CHICAGO, IL 60603-3406			MA, JOHNNY	
			ART UNIT	PAPER NUMBER
			2614	
			DATE MAILED: 08/02/2004	

26

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/489,596

Applicant(s)

COLLART ET AL.

Examiner

Johnny Ma

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 24, 25.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 21-47 have been considered but are moot in view of the new ground(s) of rejection.

Also note that applicant's arguments regarding Portuesi teaching away from sending the URL over a separate channel from the media which the URL over a separate channel from the media which the URL associated with is unpersuasive because the Portuesi reference was only relied upon for the display of keywords in response to a selection of a portion of the video image.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 35, 40, and 43 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite in view of the contradictory language set forth in the claims. Particularly the limitation "wherein the keyword is embedded in the video image" of claim 35 contradicts the limitations "displaying a video image that was received over a first channel;... wherein the keyword is received over a second channel." Also note, the limitation "wherein the keyword is embedded in the video image" of claims 40 and 43 contradict the limitations "displaying a video image that was received over a first channel;... wherein the keyword was received over a second channel" of claim 37. However, for the purpose of an art rejection, the claimed "wherein the keyword is embedded in the video image" of claims 35, 40, and 43 will be interpreted to read the "receiving of content comprising a video image over a first channel; wherein the keyword is embedded in

Art Unit: 2614

the video image” the embedded keyword replacing the claimed second channel as claimed in claims 35 and 37.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 21-23, and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Dodson et al. (US 6,184,877 B1).

As to claim 21, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed “receiving content comprising a video image over a first channel” is met by a television being turned on to receive a television channel that displays television programming (column 3, lines 59-64). The claimed “receiving a keyword associated with the video image over a second channel” is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company’s location by using such devices as an internet interface or telephone line (column 3, lines 7-28). The claimed “requesting a search of a network for information relating to the keyword” is met by search query is sent to the Internet (column 4, lines 28-34). The claimed “receiving the information relating to the keyword” is met by “[i]f the user elects to begin search, a new overlay 400 appears over the program. The overlay 400

Art Unit: 2614

includes a list of hits based on the search terms...the user may select one of the hits to view the text associated with the hit” (column 3, lines 41-49).

As to claim 22, the claimed “displaying the video image” is met by the display of programming on a TV display (column 2, lines 47-64). The claimed “displaying the keyword” is met by the display of automatic search terms associated with the television program (column 3, lines 7-28).

As to claim 23, please see rejection of claim 21.

As to claim 28, the claimed “further comprising the step of displaying the video image” is met by the display of programming on a TV display (column 2, lines 47-64).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 24, 29-34, 37, 39, 41, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057).

As to claim 24, the claimed further comprising the step of displaying the keyword associated with the video image in response to a selection of the video image. The Dodson et al. (US 6,184,877 B1) reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the

Art Unit: 2614

result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The Dodson et al. reference provides an overlay for a user to select automatic search terms that may be derived in various ways as well as add additional search terms (column 3, lines 8-40).

However, the Dodson et al. reference does not disclose displaying the keyword embedded in the video image in response to a selection of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. method of viewing keywords with the Portuesi display of keywords when a portion of an image is selected for the purpose of making keywords readily available to the user in addition to providing a more intuitive method of indicating the keyword for an associated item of interest.

As to claim 29, the claimed further comprising the step of selecting the video image. See rejection of claim 24.

As to claim 30, the claimed further comprising the step of displaying the keyword in response to the selecting of the video image. See rejection of claim 24.

As to claim 31, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed “displaying a video image that was received over a first channel” is met by the display of programming received on a currently tuned channel (column 3, lines 57-67). The claimed “wherein the keyword is received

Art Unit: 2614

over a second channel” is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company’s location by using such devices as an internet interface or telephone line (column 3, lines 7-28). However, the Dodson et al. reference does not disclose selecting a portion of a video image and displaying a keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword display with the Portuesi display window and caption for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of identifying keywords associated with a desired object.

As to claim 32, the claimed “sending the keyword over a network” is met by the derivation of automatic search terms by access to a program guide database via an internet interface (column 3, lines 8-28).

As to claim 33, the claimed “further comprising the step of receiving over the network information relating to the keyword” is met by user receiving the results of an Internet search query (column 4, lines 52-65).

As to claim 34, the claimed “further comprising the step of searching a network for information relating to the keyword” is met by a query being sent to the Internet for a search (column 4, lines 52-65).

As to claim 37, the claimed further comprising the step of displaying the keyword associated with the portion of the video image in response to a selecting of the portion of the video image. The Dodson et al. (US 6,184,877 B1) reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The Dodson et al. reference provides an overlay for a user to select automatic search terms that may be derived in various ways as well as add additional search terms (column 3, lines 8-40). However, the Dodson et al. reference does not disclose displaying the keyword embedded in the video image in response to a selection of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. method of viewing keywords with the Portuesi display of keywords when a portion of an image is selected for the

Art Unit: 2614

purpose of making keywords readily available to the user in addition to providing a more intuitive method of indicating the keyword for an associated item of interest.

As to claim 39, the claimed further comprising the step of displaying the keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Dodson et al. (US 6,184,877 B1) reference discloses a method for interactively accessing program information on a television, the method comprising receiving a search request regarding a television program; displaying at least one search term overlaid on a program being received by the television; searching the Internet for requested information; obtaining a result of the search; and saving the result in a memory coupled with the television (column 1, lines 63-67; column 2; lines 1-3). The Dodson et al. reference provides an overlay for a user to select automatic search terms that may be derived in various ways as well as add additional search terms (column 3, lines 8-40). However, the Dodson et al. reference does not disclose displaying the keyword embedded in the video image in response to a selection of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. method of viewing keywords with the Portuesi display of keywords when a portion of an image is selected for the purpose of making keywords readily available to the user in addition to providing a more intuitive method of indicating the keyword for an associated item of interest.

As to claim 41, the claimed “further comprising the step of receiving over the network information relating to the keyword” is met by the obtaining of internet query search results for display to a user (column 4, lines 52-65).

As to claim 44, the claimed “further comprising the step of searching a network for information relating to the keyword” is met by the Dodson et al. internet search query (column 4, lines 52-59).

5. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Farber et al. (US 5,819,284).

As to claim 25, the claimed wherein the received information relating to the keyword is based up a user profile. The Dodson et al. reference discloses search results are conveyed to a user wherein the query may be limited to a program category, such as sports or movies, to limit the number of hits to a reasonable number (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the

Art Unit: 2614

invention was made to modify the Dodson et al. keyword search with the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

6. Claims 26 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Brodsky (US 5,809,471).

As to claim 26, note the Dodson et al. reference discloses the providing of automatic search terms to facilitate the search of program related content over a network. However, the Dodson et al. reference is silent as to keywords containing a code that assists in the searching of the network. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword with the Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

As to claim 45, note the Dodson et al. reference that discloses a system and method for interactively accessing program information on a television. The claimed "receiving content comprising a video image over a first channel" is met by a television being turned on to receive a television channel that displays television programming (column 3, lines 59-64). The claimed "receiving a keyword associated with the video image over a second channel" is met by automatic search terms to be searched may be obtained through a program guide database directly accessible at the cable company's location by using such devices as an internet interface or telephone line (column 3, lines 7-28) to an Internet search query. However, the Dodson et al. reference is silent as to keywords containing a code that assists in the searching of the network. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword with the Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

Art Unit: 2614

As to claim 46, please see rejection of claim 45.

As to claim 47, note the Dodson et al. and Brodsky combination teach a keyword comprising a priority code. However, the Dodson et al. and Brodsky references are silent as to a priority code comprising a numerical tag. Nevertheless, the examiner gives Official Notice that it is notoriously well known in the art to prioritize data using numerical values such as the rankings for the purpose of providing a well known and easily understandable hierarchy for ordering data by importance. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. and Brodsky combination accordingly for the above stated advantages.

7. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1).

As to claim 27, note the Dodson et al. reference discloses receiving video programming over a broadcast channel and epg information via an Internet interface. However, the Dodson et al. reference is silent as to the specific transmission media used for Internet communications. Nevertheless, the examiner submits that it is notoriously well known in the art to transmit epg information on a broadcast medium for the purpose of making electronic program guide information readily accessible to a user without requiring the use of a separate communication medium. Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. epg access accordingly for the above stated advantages.

8. Claims 35, 40, and 43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodsky (US 5,809,471) in further view of Farber et al. (US 5,819,284).

As to claim 35, the claimed displaying a video image; selecting at least a portion of the video image; and displaying a keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Brodsky reference discloses the program may be received via any transmission means including radio, TV and telephone. The apparatus includes a recognition system which can recognize the user's request and cause its satisfaction to be provided. This is accomplished by creating a dynamically changing dictionary of items or keywords extracted from the most recently received program portion (Brodsky 3:56-62). The Brodsky reference also discloses options are provided for the user to view or hear the 'words' that are valid requests. Options may be provided for other forms of requests, say by button selection from a visual or audio menu of valid requests (Brodsky 5:17-20). The claimed "wherein the keyword is embedded in the video image" is met by the Brodsky reference disclosing the context extractor 102 has a data processor to extract words and/or items from an audio, video or telephony signal (Brodsky 4:40-42) where embedded keywords are inherent in order for extraction to occur. However, the Brodsky reference does not disclose selecting a portion of a video image and displaying a keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Brodsky keyword display with the Portuesi display window and caption for

Art Unit: 2614

the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of identifying keywords associated with a desired object.

As to claim 40, the claimed displaying a video image; selecting at least a portion of the video image; and sending over a network a keyword associated with the portion of the video image. The Brodsky reference discloses The context extractor 102 has a data processor to extract words and/or items from an audio, video or telephony signal. The extractor 102 samples the incoming signal and identifies 'words' and transmit those 'words' to the buffer for storage in the dictionary. The selection criteria may include matching all acceptable 'words' against an application-supplied listing of available topics. The signal is also passed undisturbed onto its normal display 108, say a TV set, radio or a telephone (Brodsky 4:40-48). The Brodsky reference also discloses upon recognition of the request, a search is initiated to access, import and deliver to the user the information required to satisfy the request (Brodsky 3:64-66). The Brodsky reference also discloses a service provided by the movie program producer, broadcaster or a dial-up service provider, gives program relevant information upon a user's request (Brodsky 6:45-48). However, the Brodsky reference does not disclose selecting at least a portion of the video image. The Portuesi reference discloses as shown, when a pointer 38 of a pointing device, such as a mouse, is positioned over a hot spot 40, hot spot 40 can be highlighted to indicate to the user that pointer 38 is positioned over hot spot 40. Also, caption 34 can display a URL 42 associated with hot spot 40 (Portuesi 6:36-40). The Portuesi reference also discloses if a URL is activated, URL processing unit 72 can invoke Web browser 76 to retrieve the resource located at the activated URL and display the resource to the user (Portuesi 9:32-35). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time

Art Unit: 2614

the invention was made to modify the Brodsky keyword display with the Portuesi selectable hot spots for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of performing searches using keywords associated with a desired object. The claimed further comprising the step of displaying the keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Brodsky reference discloses options are provided for the user to view or hear the 'words' that are valid requests. Options may be provided for other forms of requests, say by button selection from a visual or audio menu of valid requests (Brodsky 5:17-20). However, the Brodsky reference does not disclose selecting a portion of a video image and displaying a keyword associated with the portion of the video image in response to the selecting of the portion of the video image. The Portuesi reference discloses display window 28 can include a caption 34 which provides a description of the area within display window 28 over which a pointing device, such as a mouse pointer, is positioned. For example, if the pointing device is positioned over hypertext link 22, caption 34 can provide a name for link 32 or provide the actual URL (Portuesi 6:22-27). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Brodsky keyword display with the Portuesi display window and caption for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of identifying keywords associated with a desired object. The claimed wherein the keyword is embedded in the video image is met by the context extractor 102 has a data processor to extract words and/or items from an audio, video or telephony signal (Brodsky 4:40-42) where embedded keywords are inherent in order for extraction to occur.

As to claim 43, the claimed displaying a video image; selecting at least a portion of the video image; and sending over a network a keyword associated with the portion of the video image. The Brodsky reference discloses The context extractor 102 has a data processor to extract words and/or items from an audio, video or telephony signal. The extractor 102 samples the incoming signal and identifies 'words' and transmit those 'words' to the buffer for storage in the dictionary. The selection criteria may include matching all acceptable 'words' against an application-supplied listing of available topics. The signal is also passed undisturbed onto its normal display 108, say a TV set, radio or a telephone (Brodsky 4:40-48). The Brodsky reference also discloses upon recognition of the request, a search is initiated to access, import and deliver to the user the information required to satisfy the request (Brodsky 3:64-66). The Brodsky reference also discloses a service provided by the movie program producer, broadcaster or a dial-up service provider, gives program relevant information upon a user's request (Brodsky 6:45-48). The claimed wherein the keyword is embedded in the video image is met by the context extractor 102 has a data processor to extract words and/or items from an audio, video or telephony signal (Brodsky 4:40-42) where embedded keywords are inherent in order for extraction to occur. However, the Brodsky reference does not disclose selecting at least a portion of the video image. The Portuesi reference discloses as shown, when a pointer 38 of a pointing device, such as a mouse, is positioned over a hot spot 40, hot spot 40 can be highlighted to indicate to the user that pointer 38 is positioned over hot spot 40. Also, caption 34 can display a URL 42 associated with hot spot 40 (Portuesi 6:36-40). The Portuesi reference also discloses if a URL is activated, URL processing unit 72 can invoke Web browser 76 to retrieve the resource located at the activated URL and display the resource to the user (Portuesi 9:32-35). Therefore,

Art Unit: 2614

the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Brodsky keyword display with the Portuesi selectable hot spots for the purpose of providing a method of making keywords more readily available to the viewer in addition to a more intuitive method of performing searches using keywords associated with a desired object.

9. Claims 36 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057) and Farber et al. (US 5,819,284).

As to claim 36, the claimed "sending the keyword over a network" is met by the automatic search terms being derived from a program guide database wherein the program guide database is accessed via an internet interface (column 3, lines 8-28). The claimed "receiving over the network information relating to the keyword" is met by the obtaining of a internet search query for display to a user (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it

Art Unit: 2614

would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Portuesi hot spots and the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

As to claim 42, note the Dodson et al. reference discloses the obtaining of a internet search query for display to a user (column 4, lines 52-65). However, the Dodson et al. reference does not disclose the use of a user profile. The Farber et al. reference discloses user profile database 174 contains information for each user of the system, specifying (a) the categories or types of information services that are to be provided to that user, and (b) for those information services, the parameters that are associated with the desired information. For example, a first user may desire traffic, financial and sports information, a second user may desire weather and news information, and a third user may desire traffic, news and weather. For each of these three users, the detailed information desired may be different. Thus, the first user may desire traffic information for certain roadways, financial information for certain securities, and sports information for particular teams (Farber et al. 4:43-55). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Portuesi hot spots and the Farber et al. profile database for the purpose of providing targeted information to the user that are directed towards his/her preferences.

10. Claims 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson et al. (US 6,184,877 B1) in further view of Portuesi (US 6,499,057) and Brodsky (US 5,809,471).

Art Unit: 2614

As to claim 38, note the Dodson et al. reference discloses the providing of automatic search terms to facilitate the search of program related content over a network. However, the Dodson et al. reference is silent as to keywords containing a code. Now note the Brodsky reference that discloses it may be desirable to allow the setting of priorities for all 'items' and/or 'words'. Priorities may be set so that certain application relevant 'items' or 'words' are kept a longer than ordinary duration, or even for the whole length of the program being watched (Brodsky 5:48-52). The Brodsky reference also discloses preprocessing of key words representing potential user requests, decreases system response time when such a request is subsequently made. Preprocessing is desirably performed in conjunction with the priorities of particular items or words. It may only search for items or words assigned with at least a moderately high priority level, and actually retrieve information only for items or words assigned with a higher priority level than that of the moderately high priority level (Brodsky 6:3-11). Therefore, the examiner submits that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Dodson et al. keyword search with the Brodsky et al. prioritized keywords for the purpose of providing information that more closely matches the search request in terms of user interest and relevancy.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The Ullman et al. reference (US 2003/0101232 A1) discloses an enhanced video programming system and method for incorporating and displaying retrieved integrated Internet

information segments wherein as an alternative, the computer-based system receives the URLs directly through an Internet connections, at times specified by TV broadcasters in advance.

The Feinleib reference (US 2004/0040042 A1) discloses a system and method for synchronizing enhancing content with a video program using closed captioning.

The Schindler et al. reference discloses a system with enhanced display of digital video wherein a separate data channel contains all the closed caption information for the channels containing video information.

The Shinohara reference (US 2003/0005461 A1) discloses a system and method for linking closed captioning to web site.

The Shoff et al. reference (US 6,240,555 B1) discloses an interactive entertainment system for presenting supplemental interactive content together with continuous video programs wherein supplemental content is supplied over part of the same program signal or separately over another distribution network.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 2614


however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johnny Ma whose telephone number is (703) 305-8099. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jm



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600